# REGISTER OF CLASSIFICATION DECISIONS

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| Date of entry in Register: | 25 November 2003 |
| Name of applicant/court: | Secretary for Internal Affairs |
| Applicant to the Labelling Body: | Not Applicable |
| Title of Publication: | P003.jpg |
| Other Known Title(s): | Not Stated |
| Director(s): | Not Stated |
| Producer(s): | Not Stated |
| Publisher: | Not Applicable |
| Author(s): | Not Applicable |
| Format: | Computer Image File |
| Country of Origin: | Not Stated |
| Language(s): | Not Applicable |

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**Components of film originally examined:** Not Applicable.

Feature: Running Time:

Trailers: Running Time:

Total Running Time:

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

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Classification Decision:

Objectionable.

Display Conditions:

Not Applicable.

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable.

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**SUMMARY OF THE REASONS FOR DECISION:**

The computer image file entitled *P003.jpg* is classified as:
Objectionable.

The computer image file contains a colour photographic image depicting a naked pre-pubescent boy urinating. The boy presents as having been deliberately posed for the camera in a salacious manner intended for adult viewer sexual arousal. The image emphasises the boy's genitals and the act of urination.

The computer image file tends to promote and support the exploitation of children for sexual purposes as set out in s3(2)(a) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act). It encourages the viewer to be sexually aroused by a pre-pubescent boy and implicitly presents boys as legitimate and viable objects of adult sexual desire. The publication may also tend to promote and support the use of urine in association with sexual conduct as set out in s3(2)(d) of the FVPC Act, although no actual sexual conduct is depicted. Given that it satisfies other criteria in s3(2), it is not necessary to determine this point.

The computer image file meets criteria under s3(2) of the FVPC Act and is therefore deemed to be objectionable. A classification of objectionable interferes with the right to freedom of expression as set out in s14 of the New Zealand Bill of Rights Act 1990. However, in relation to this publication, the classification is considered to be a reasonable limit prescribed by law that can be demonstrably justified in a free and democratic society.

OFLC No: 300801